

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

GENANA HOLLY,

Plaintiff,

VS.

WAL-MART STORES, INC.,

Defendant.

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CIVIL ACTION NO. H-04-1980

MEMORANDUM AND ORDER

Pending before the Court is Plaintiff's revised motion for the Court to pay the cost of a docketing fee. Although the revised motion, like its predecessor, fails to specify the amount of or reason for the fee, the Court assumes that Plaintiff is seeking a waiver of the docketing fee associated with her appeal of the disposition of this case to the Fifth Circuit Court of Appeals.

As Plaintiff is aware, a party may seek to proceed *in forma pauperis* in any federal court. Because her cause is no longer pending before this Court and is properly before the Fifth Circuit, however, her motion to waive the docketing fee should be submitted to that court, not to this one. The motion, Docket No. 80, is therefore **DENIED.**

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 5th day of January, 2006.

A handwritten signature in dark ink, appearing to read "Keith P. Ellison", is written above a horizontal line.

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**